IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Writ Petition No. 167 (M/B) of 2004

Amba Dutt Kergati A/a 55 years
S/o Late Sri Khima Nand Kergati
R/o Village & Post Office Machor
District Almora … Petitioner

Versus

1. The State of Uttaranchal through the
Secretary, Revenue Government of Uttaranchal
Dehradun
2. Executive Engineer, Construction Division
Public Works Department
Ranikhet District Almora
3. Executive Engineer, Construction Division
Public Works Department
Ranikhet District Almora … Respondents

Hon'ble M.M. Ghildiyal J.
Hon'ble Rajesh Tandon J.

Rule.

Respondents waive service.

In view of the judgment of the Allahabad High Court in case of Tejveer Singh vs. State of U.P. reported in 1997 (29) ALR 687, the petitioner was liable to pay fixed stamp duty at the rate of Rs. 100/- (Rupees one hundred only) and not the stamp duty calculated on ad valorem basis.

Accordingly, writ petition is allowed. No order as to costs.

(Hon'ble M.M. Ghildiyal J.) **(Hon'ble Rajesh Tandon J.)**

03.03.2004
ASWAL